

06-CR-05612-INFO

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JENNIFER L. KOLAR,

Defendant.

NO. CR06- 5612 R8L

INFORMATION

(Felonies)

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT 1
(Conspiracy)

Beginning in or about 1997, and continuing until in or about May 21, 2001, at Olympia, in the Western District of Washington, and elsewhere, JENNIFER L. KOLAR, Lacey Phillabaum, William C. Rodgers, Justin Solondz, Briana Waters, and others known and unknown did knowingly and willfully combine, conspire, and agree to commit offenses against the United States, to wit: arson, in violation of Title 18, United States Code, Section 844; using destructive devices during crimes of violence, in violation of Title 18, United States Code, Section 924(c); and making unregistered destructive devices, in violation of Title 26, United States Code, Section 5861(f).

Manner and Means of the Conspiracy

Beginning in or about 1996, some members of the conspiracy agreed to commit, and in fact committed, arsons and other crimes in a supposed effort to advance the causes of environmental protection and animal rights. Some members of the conspiracy selected a variety of buildings, vehicles, and other property as targets for their arsons and other crimes. Members of the conspiracy generally selected as targets buildings, many of which either were owned by the United States Government or were used in interstate commerce or in activity affecting interstate commerce. Members of the conspiracy believed they were used for purposes that harmed either the environment or animals.

In most but not all cases, members of the conspiracy made and used destructive devices, as defined in Title 26, United States Code, Section 5845, to commit their arsons. Typically, these handmade devices incorporated kitchen timers, matches, sponges, and containers filled with fuel. Members of the conspiracy did not apply for permission to make and register these destructive devices in the National Firearms Registration and Transfer Record, as required by law. In most cases, members of the conspiracy placed these destructive devices at targets during the nighttime. Timers were used to create a time delay, so that fires ignited after members of the conspiracy had fled the scene.

In many cases, after committing arsons or other crimes, members of the conspiracy issued communiques claiming the crimes had been committed to protect the environment or animals. The communiques typically claimed that the crimes had been committed by groups named or described as the Earth Liberation Front (ELF) or the Animal Liberation Front (ALF). Members of the conspiracy intended that, by committing these crimes, they would influence and affect the conduct of government, commerce, private business, and the civilian population, and they intended to retaliate against the conduct of government, commerce, and private business.

In or about 2000, members of the conspiracy decided to attempt to increase the number of participants in the conspiracy. Beginning in approximately March 2000, some members of the conspiracy held a series of secret meetings at locations in Oregon,

1 California, Arizona, and Washington at which they induced others to join the conspiracy.
2 At these meetings, members of the conspiracy agreed to focus their efforts on opposing
3 genetic engineering, primarily in plants. As a result, they discussed targeting government
4 facilities and companies they believed were involved in genetic engineering. At these
5 meetings, members of the conspiracy also discussed the use of arson, and even
6 demonstrated how to manufacture time-delayed destructive devices that could be used to
7 commit arsons.

8 In or about 2000, members of the conspiracy decided that, as part of their
9 campaign to stop genetic engineering, they would commit not only arson, but also other
10 crimes, including destroying what they considered to be genetically-engineered crops and
11 trees. To that end, some members of the conspiracy decided to pull crops out of the
12 ground and "girdle" (remove rings of bark from) trees. Some members of the conspiracy
13 decided they would perform these "field actions" before security became heightened.
14 Thus, they decided to resort to arson, which they believed would trigger heightened
15 security, only after these field actions. As a result, during 2000 and the spring of 2001,
16 some members of the conspiracy performed several field actions in Washington and
17 Oregon, and Canada. Then, on May 21, 2001, members of the conspiracy set fire to two
18 facilities they believed were used in genetic engineering of poplar trees, namely Jefferson
19 Poplar Farm in Clatskanie, Oregon, and the Center for Urban Horticulture at the
20 University of Washington in Seattle, Washington.

21 *Overt Act*

22 In furtherance of this conspiracy, and to accomplish one or more of the objects of
23 the conspiracy, KOLAR and others known and unknown committed or caused to be
24 committed the following overt act:

25 1. On or about May 21, 2001, KOLAR, Phillabaum, Solondz, Rodgers, and
26 Waters used destructive devices to set fire to the Center for Urban Horticulture at the
27 University of Washington in Seattle, Washington.

28 All in violation of Title 18, United States Code, Section 371.

COUNT 2
(Attempted Arson)

On or about October 4, 1998, at Wray, within the District of Colorado, JENNIFER L. KOLAR maliciously damaged and attempted to damage by means of fire and explosive materials, and aided and abetted in maliciously damaging and attempting to damage, the Wray Gun Club, a single-story, wood-frame building used in interstate commerce and in activity affecting interstate commerce.

All in violation of Title 18, United States Code, Sections 844(i) and 2.

COUNT 3
(Arson)

On or about May 21, 2001, at Seattle, within the Western District of Washington, JENNIFER L. KOLAR maliciously damaged and destroyed by means of fire and explosive materials, and aided and abetted in maliciously damaging and destroying, the Center for Urban Horticulture at the University of Washington, a building used in interstate commerce and in activity affecting interstate commerce.


All in violation of Title 18, United States Code, Sections 844(i) and 2.

COUNT 4
(Using a Destructive Device During a Crime of Violence)

On or about May 21, 2001, at Seattle, within the Western District of Washington, JENNIFER L. KOLAR knowingly used, and aided and abetted the use of, a firearm, to wit: a destructive device (an incendiary bomb), during and in relation to a crime of violence, to wit: the arson of the Center for Urban Horticulture at the University of Washington, a crime for which she may be prosecuted in a court of the United States.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A) and (c)(1)(B)(ii) and 2.

DATED: This 2nd day of October, 2006.


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